

REMARKS

I. Claim Amendments

Each and every independent claim now includes a step of treating damaged tissue with a “wound healing agent.” Such support is found on page 13 of the specification.

Claims 27-33 have been added to recite specific examples of wound healing agents. Each of these new 7 dependent claims corresponds to the 7 independent claims.

II. Telephonic Interview

The Applicants’ attorney would like to thank Examiner Pryor and Examiner Richter for courteously conducting a telephonic interview on July 11, 2006. During the interview, all the present rejections were discussed.

A. Rejections under §112, first paragraph

It was agreed by the examiners that since the specification contained examples of specific “wound healing agents” on page 13 that were known in the art, that a claim with the recitation of “wound healing agent” would not pose a §112, first paragraph problem. Applicants’ attorney stated that she was agreeable to such amendment to all independent claims. Thus, all the independent claims now recite a limitation wherein the damaged tissue is treated with a “wound healing agent.”

B. Rejections under §103

The two § 103 rejections were also discussed. In the interview, Applicants’ attorney explained that nitrogen gas was not a “wound healing agent” because it was merely an inert gas. Thus, it was agreed that the recitation of “wound healing agent” in combination with the application of nitric oxide gas would overcome the two § 103 rejections of record. Thus, each and every claim now recites treating the damaged tissue with both nitric oxide gas and a wound healing agent.

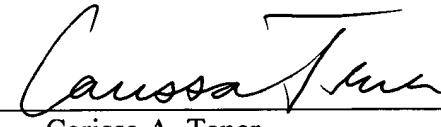
III. Conclusion

Thus, Applicants respectfully submit that the rejections of claims 9-15 and 17-26 be withdrawn and a Notice of Allowance be issued for all pending claims 9-15 and 17-33.

If the undersigned can be of any assistance to the Patent Office, a telephone call is respectfully requested. If any fees are required by this filing, the Commissioner is authorized to charge Sidley Austin LLP's Deposit Account # 50-1597.

Respectfully Submitted

SIDLEY AUSTIN, LLP

Date: 7/12/06  
By:   
Carissa A. Tener  
Reg. No. 52,278

555 W. Fifth St., Suite 4000  
Los Angeles, CA 90013  
Tel: (213) 896 6000  
Fax: (213) 896 6600  
**Customer No. 34492**